

Truro Board of Selectmen  
Meeting Minutes – April 22, 2014  
Truro Town Hall, 5:00pm

Members Present: Jay Coburn-Chair, Breon Dunigan-Vice Chair, Jan Worthington-Clerk, Robert Weinstein, and Paul Wisotzky-*Absent*

Others Present: Acting Town Administrator Charleen Greenhalgh

Chair Jay Coburn called the meeting to order at 5:00 p.m.

Coburn noted that there was a correction on the Agenda in which the vote on the two contracts are not ready for signing so the meeting will not reconvene in open session after the Executive Session.

**Review and approval of Minutes- April 8th 2014<sup>1</sup>**

**Weinstein moved to approve the April 8th, 2014 Minutes as presented. Dunigan seconded the motion. So voted unanimously 4-0.**

**Public Comment Period**

Coburn announced that Paul Wisotzky was not in attendance. Weinstein stated that he would like to take the opportunity to thank Dunigan for her years of service as Selectmen. It was determined that she had one more regular meeting with the Board of Selectmen. Coburn thanked the DPW for their hard work with a recent flood issue at the Public Safety building.

**Review and Approve Water Hook-Up for 91 Shore Road**

Coburn asked if there were any questions regarding the water hook up for 91 Shore Rd<sup>2</sup>. Ms. Greenhalgh stated that there has been a full Site Plan Review of the property. **Dunigan moved to approve the water hook up at 91 Shore Road. Worthington seconded the motion. So voted unanimously 4-0.**

**Public Hearing Distiller Pouring License Fee<sup>3</sup>**

Coburn spoke to the new annual Distillery Pouring License that was approved by the Board of Selectmen. The Board of Selectmen still needs to create an annual fee for this license. He cited the other alcohol licensing fees for the Town of Truro. The current annual farm winery pouring license fee is set at \$200.00. Dunigan questioned whether the fee should be in line with the farm winery pouring license and asked if there was a quota implication to which there are none. Weinstein noted the annual distillery licensing fee in Nantucket and the potential profitability of a distillery product. Coburn spoke of \$400.00 as a proposed annual license fee. Worthington agreed that the initial fee should not be steep. **Weinstein made a motion to grant a new annual farm distillery pouring license in the amount of \$400.00. Dunigan seconded the motion.** Coburn spoke to the price difference of package stores and restaurant alcohol license fees. **So voted unanimously 4-0.** Coburn closed the Public Hearing.

**Application to Serve- Fran Johnson, Beach Commission<sup>4</sup>**

Fran Johnson spoke of the history of being in Truro and his love of the beach. **Dunigan moved to recommend Fran Johnson to the Beach Commission. Weinstein seconded the motion. So voted unanimously 4-0.**

**Request to Use Town Property-Helping Our Women Bike Ride-Library Parking Lot**

Coburn stated that this was an annual event and has received approval from the Fire Chief , the Police

Chief and the Library Director<sup>5</sup>. **Worthington moved to approve the use of the Library parking lot on Saturday June 7th for the Helping Our Women bike ride. Weinstein seconded the motion. So voted unanimously 4-0.**

**Request to Use Town Property & Entertainment License-Truro Concert Committee-Snow's Park**  
Coburn cited the dates for the Truro Concert Committee at Snow's Park<sup>6</sup>. He stated that this was an annual request and since it was a Town Committee there was no charge for the use of the Town Property. **Weinstein moved to approve the Truro Concert Committee Use of Town Property (Snow's Park) and the Entertainment License for Thursdays from July 3rd through August 28th. Worthington seconded the motion. So voted unanimously 4-0.**

**Housing Authority Requests-Review , Approve and Authorize Vice-Chair to Sign:Request for transfer of funds from Affordable Housing Trust Fund for Affordable Housing Summit-Sign a contract with John Ryan Development Cycles**

Carl Brotman noted the amount of \$9,450.00 to be transferred to pay for the services of John Ryan of Development Cycles<sup>7</sup>. He explained that Mr. Ryan will be planning, convening and facilitating the September Housing Summit and will assist to complete the Affordable Housing Plan with recommendations. Mr. Ryan is familiar with the housing issues on the Outer Cape. **Dunigan moved to approve the transfer of funds (\$9,450.00) from the Affordable Housing Trust Fund to be used for the Affordable Housing Summit with John Ryan of Development Cycles. Weinstein seconded the motion. So voted unanimously 4-0.**

**Dunigan moved to approve and authorize the Chair to sign the contract with John Ryan of Development Cycles<sup>8</sup>. Weinstein seconded the motion. So voted unanimously 4-0.** There was a discussion to bring the approval of the feasibility study back to the Board of Selectmen for a vote on May 7<sup>th</sup>.

**Discussion of Possible Action regarding Highland Link Golf Course Operation and Overall Budget**

Coburn explained that the Town's proposal to the National Park Service to operate the golf course was not accepted and the Department of Interior chose another vendor. The proposal was put together under the guidance of Jim Knowles, the Golf Course Manager, with the assistance of Grant Writer, Alice Boyd. He explained that the Proposal included a fee percentage to be paid to the National Park Service. The Town lost money on the Golf Course due to the recession, the Government Shutdown and the current 15% being paid to the National Park Service. The concession decision was not made locally but in Headquarters in Philadelphia, PA. There is no appeal process for their decision to choose another management company to run the concession. Coburn added that the Town has asked to see the factors and scoring of the Proposal. A written notice of termination of the contract was received on Thursday. Coburn added that Johnson Golf Management received the concession and the Town's last day to run the golf course is May 27th.

Worthington commented that she was sorry that the Town lost the concession adding that she took some responsibility for not being involved enough. She added that there was a committee formed during the last bid process. She felt that the Congregational Delegation should be appealed to in order to see why Truro lost the concession and see if there is anything that the Town can do. Worthington concluded that she would like an audit done to see if the Town did everything properly for the bid.

Dunigan felt that the Town should reach out to the new management. Coburn also added that the Town had no control over the bid decision explaining that it was a competitive process and there is not

enough information at this time to do any finger pointing. Worthington responded that she was just concerned that something had slipped through the cracks as a reason why the Town lost the bid. Dunigan added that the Town has been paying a really high percentage rate that the Town lost money on. Ms. Greenhalgh stated that she has been in talks with the awarded bidder, Johnson Golf Management's Business Manager, Jason Laramée. She added that Jim Knowles, Golf Manager, has been working on inventorying supplies and equipment.

Ms. Greenhalgh added that the new concessionaire could request certain equipment and any remaining equipment would need to be deemed as surplus by the Board of Selectmen. There was a discussion regarding purchased annual passes and whether the passes would be honored by new management. Ms. Greenhalgh commented that the new management company requested and received all current employee names and positions at the golf course. She added that Jim Knowles will be retained until the end of the fiscal year to close out all bills. Ms. Greenhalgh, spoke of the bid application sent by the Town as being a well thought out and a well prepared document.

Dunigan asked about the current vendor contracts at the golf course. Ms. Brazil replied that the golf carts are being picked up by the vendor which may charge an early termination fee. Ms. Brazil talked about being a member on the committee that worked on the last bid proposal. She commented that the Department of Interior only allowed for 6 weeks to finish this proposal and the bid application formatting was completely different than the last bid application.

Bernadette Mainz, member of the public, felt that this was an emotional issue for Truro residences adding that it had been generating money for the Town for years. Coburn corrected her, that the Golf Course has cost tax payers money in recent years. He explained that the cost to operate the facility is more than the Town receives in receipts concluding that he did not know why the Town was denied the contract. Ms. Brazil commented that in the Press Release from the Department of Interior there was a statement from that department in which there was an effort not to have the appearance of local preference.

Carol Nickerson, member of the public, asked that Congregational Legislators be contacted to assist with an appeal. Worthington responded that she was in favor of contacting our legislators. Ms. Greenhalgh commented that there has been no indication when the Department of Interior will respond to the Town's request to see the bid results. Coburn felt that there should be more concrete information given to the Board of Selectmen before they contact Legislators. Ms. Nickerson felt that the Town should immediately contact Senator Elizabeth Warren and Representative Bill Keating and find out why Truro lost the bid. Ms. Nickerson suggested that the Board of Selectmen "google" the company that was awarded the bid.

Jane Roderick, member of the public, stated that she hopes that the transition with new management is smooth. She added that this company has a history of letting golf courses go with respect to maintenance which would be a reflection upon the town in her opinion. She urged the Board of Selectmen to do what they could as she didn't feel that it was too late to appeal.

Worthington stated that she would do what she could. Dunigan stated that the Congregational Delegation should be alerted. She added that the Town should be proactive about what goes on in the future at the golf course and try to assist in the transition. Coburn agreed that Congregational Delegation could be helpful in expediting the Town's request to see the results of why the Department of Interior made their choice.

Ms. Brazil stated that she would make the calls to Congressional Delegation.

In regards to changes in the budget, Ms. Brazil spoke to Article #4 being amended<sup>9</sup>. Article #5, the Omnibus Budget has been reduced due to two items 1) Transfer from Golf Receipts Reserved for Appropriation (\$338,200.00) & 2) indefinite postponement of the zero turn lawn mower and rough terrain mower. The total budget is \$16, 737, 297.14 due to the reductions. She explained that without the golf course expense there will be a surplus. Both Articles will be revoted prior to Town Meeting.

Ms. Brazil explained that the golf course receipts reserve (from prior years) be used to balance the budget and reserve the surplus for FY16. Ms. Brazil commented if the override does not pass at Town meeting we will be in an equally dire position. She explained that the funding be used for future use and the Town continue to advocate for the General Override. Ms. Brazil explained that she and the Finance Committee Chair would explain this at Town Meeting. Coburn asked if Bob Panessiti supported this decision. Ms. Brazil responded that Mr. Panessiti felt that it was prudent to advocate for the General Override due to potential future educational expenses.

Ms. Brazil explained that not having the golf course budget acts as a mini windfall of available funding. Worthington asked about the Free Cash and what it was funding. Ms. Brazil responded that Free Cash is used for reducing and stabilizing the tax rate and is going towards OPEB. Worthington questioned why the Town should vote still for the General Override if the funds are balanced without the golf course. Ms. Brazil explained that it is a false balance due to future educational expenses. Worthington appreciated that the accounting was forward looking. Ms. Brazil added that accounting will be guided by Town meeting vote.

#### **Review and Assign Motions for the Annual Town Meeting**

The motion assignments were discussed<sup>10</sup>. Ms. Greenhalgh read the motion for Article #5-FY2015 *Omnibus Budget Appropriation* and the discussion in which the budget deletes the Golf Course Operations in its entirety and removes two CIP items (DPW mowers). She also spoke of Article #13- *Capital Exclusion Golf Course Mower* in which it will be moved to indefinitely postpone Article #13. Articles #25-30 are Planning Board Articles.

**Review, Approve & Authorize Chair to Sign Closing out of Staging Permit: Cold Storage Beach**  
Coburn stated that there was a closed staging permit before the Board of Selectmen<sup>11</sup>. The permit had all the required signatures from the Conservation Agent, DPW Director and Beach Director. **Dunigan moved to approve and authorize the Chair to sign the application. Weinstein seconded the motion. So voted unanimously 4-0.**

#### **Review, Approve and Authorize the Chair to sign MassDOT reimbursement contract**

Ms. Greenhalgh spoke of the MassDOT reimbursement contract (Winter Rapid Recovery Road Program)<sup>12</sup> that Paul Morris, DPW Director, requested that the Board of Selectmen authorize. She explained that the Town may not need to utilize all of the money but the funds will assist with repairs on roads other than Route 6. **Weinstein made a motion to approve the MassDOT reimbursement contract and authorize the Chair to sign. Dunigan seconded the motion. So voted unanimously 4-0.**

#### **TFRAC Follow up items: Review, Approve and Authorize Chair to sign Contract**

Dunigan updated the Board of Selectmen that Wisotzky, Bob Panessiti and herself are working with

Barnstable County Procurement undergoing the process on receiving three quotes for an Executive Assistant. She explained that there has been a response from three but only two qualified: Municipal Resources and Keith Boyle. They're in development of the contract for Municipal Resources which they are prepared to bring forward for signature on May 7th with the Board of Selectmen.

### **Selectmen Reports and Liaison Reports**

**Weinstein-** He spoke of the approved licenses for Salty Market, LLC and the additional work on the building that will soon be finished and the owners' hopes to open before the beginning of May.

**Worthington-** Spoke of the Goals and Objectives and the Capital Improvement Plan for the next 5 years. She added that her family would like to donate a plaque from the Cambridge Company (built the bridge at the Pamet Harbor) to the town; having it fastened to a stone station in the corner of the Pamet Harbor parking lot.

**Dunigan-** Nothing to report.

**Coburn-** Stated that the donation of the Worthingtons' plaque to the town be placed on a future Agenda.

### **Next Meeting Agenda: May 7th, 2014**

Housing Authority request to do a feasibility study for Housing on Town owned land; Lewis Brother's Ice cream –Peddler's License; New Bedford Disposal Waste Service contract; Lower Cape Television contract; Resignation and thank you letter to Jane Corbin-Truro Concert Committee; Bike and Walkways Committee discussion of Eagle Neck Creek culvert area as it applies to cyclists on Old County Road; Close-out of Construction Staging permit application-Sheerwater; Paula Parrisseau for the Truro Conservation Trust; TFRAC continued discussion items and contract; Minutes and review of Board of Selectmen's Goals and Objectives for 2013-2014.

### **Acting Town Administrator's Report<sup>13</sup>**

Ms. Greenhlagh spoke of the recent editorial piece in the Provincetown Banner and thanked staff for their assistance.

**At 6:35pm, Coburn moved that the Board of Selectmen enter into Executive Session in accordance with the provisions of Massachusetts General Law, Chapter 30A, 21 (a) number 2, to conduct contract negotiations with 1) the Acting Town Administrator, and 2) the Police Chief, and Chapter 30A, section 21 (a) number 3 to discuss strategies relative to collective bargaining whereas discussion of these matters in open session would have a detrimental effect on the negotiating position of the Town and to not reconvene in open session. Roll Call Vote: Robert Weinstein, aye; Jay Coburn, aye; Breon Dunigan, aye; Jan Worthington, aye. So voted unanimously, 4-0.**

Respectfully submitted, Nicole Tudor, Board of Selectmen Secretary

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Jay Coburn, Chairman

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Breon N. Dunigan, Vice-Chairman

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Janet W. Worthington, Clerk

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Robert Weinstein

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*Absent*

Paul Wisotzky  
Board of Selectmen  
Town of Truro

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- <sup>1</sup> Board of Selectmen meeting April 8th, 2014 Meeting Minutes
  - <sup>2</sup> Town of Provicetown Water Service Application and Site plan of 91 Shore Road
  - <sup>3</sup> Public hearing notice and Distiller Pouring License fee memo
  - <sup>4</sup> Application to serve –Fran Johnson to Beach Commission
  - <sup>5</sup> Use of Town Property Application & Bike & Road Race Application –Helping our Women
  - <sup>6</sup> Use of Town Property Application and Entertainment Application-Truro Concert Committee
  - <sup>7</sup> Memo from Carl Brotman to Jay Coburn the request to transfer funds
  - <sup>8</sup> Contract for the services of John Ryan of Development Cycles
  - <sup>9</sup> FY15 2015 Projected available spending capacity “revenues”; Total assessed value as og 01.01.2013; FY2015 Municipal Operating Budget; Article 5:  
FY2015 Omnibus Budget Appropriation
  - <sup>10</sup> ATM 2014 Motion assignments for Articles 1-37
  - <sup>11</sup> Ethan Poulin Staging permit application – Cold Storage Beach
  - <sup>12</sup> MassDOT reimbursement contract for WRRRP
  - <sup>13</sup> Acting Town Administrator’s report April 22, 2014